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**Attorneys for Plaintiffs**  
**DITECH FINANCIAL LLC AND**  
**FEDERAL NATIONAL MORTGAGE**  
**ASSOCIATION**

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

DITECH FINANCIAL, LLC, a Delaware limited liability company; FEDERAL NATIONAL MORTGAGE ASSOCIATION,

Plaintiffs,

v.

T-SHACK, INC., a foreign corporation; NEVADA ASSOCIATION SERVICES, INC., a domestic corporation; DESERT SANDS VILLAS HOMEOWNERS' ASSOCIATION, a domestic non-profit corporation; and DOES I through X, inclusive,

Defendants.

CASE NO.: 2:16-cv-02808-JAD-NJK

**STIPULATION AND ORDER TO DISMISS**  
**REMAINING CLAIMS**

Plaintiffs DITECH FINANCIAL LLC ("Ditech") and FEDERAL NATIONAL MORTGAGE ASSOCIATION ("Fannie Mae"), T-SHACK INC. ("T Shack"), and DESERT SANDS VILLAS HOMEOWNERS' ASSOCIATION ("Desert Sands") (collectively, the "Parties"), by and through their respective counsel of record, hereby stipulate as follows:

1. Ditech and Fannie Mae hereby dismiss all claims against Desert Sands;
2. Defendant NEVADA ASSOCIATION SERVICES, has not Answered or otherwise appeared in this action, all claims against said Defendant are dismissed;
3. Ditech and Fannie Mae's remaining claims alleged in the Complaint are hereby dismissed:



1 Declaratory Relief Under Amendments V and XIV to the United States Constitution – Against All  
2 Defendants, Quiet Title Under the Amendment V and XIV to the United States Constitution –  
3 Against T-Shack, Wrongful Foreclosure: Ditech Against All Defendants, Violation of NRS  
4 116.1113 *et seq.*: Ditech Against All Defendants, and Unjust Enrichment: Ditech Against T-Shack.

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4. The Parties shall each bear their own fees and costs.

**IT IS SO STIPULATED.**


<p>DATED: March 12, 2020</p> <p>WOLFE &amp; WYMAN LLP</p> <p>By: <u>/s/ Racheal A. Ross</u>  RACHEAL A. ROSS, ESQ.  Nevada Bar No. 14943  6757 Spencer Street  Las Vegas, NV 89119  Attorneys for Plaintiffs  DITECH FINANCIAL LLC and  FEDERAL NATIONAL  MORTGAGE ASSOCIATION</p>	<p>DATED: March 12, 2020</p> <p>By: <u>/s/ Christopher V. Yergensen</u>  CHRISTOPHER V. YERGENSEN, ESQ.  Nevada Bar No. 6183  395 Gatlinburg Ct.  Henderson, NV 89012  Attorneys for Defendant  T-SHACK, INC.</p>
<p>DATED: _____, 2020</p> <p>LIPSON, NEILSON, COLE, SELTZER &amp;  GARIN, P.C.</p> <p>By: <u>/s/ David Ochoa</u>  DAVID OCHOA, ESQ.  Nevada Bar No. 10414  9900 Covington Cross Dr., Ste. 120  Las Vegas, NV 89144  Attorneys for Defendant  DESERT SANDS VILLAS  HOMEOWNERS' ASSOCIATION</p>	

**ORDER**

Based on the parties' stipulation [ECF No. 76] and good cause appearing, IT IS HEREBY ORDERED that all remaining claims are DISMISSED with prejudice, each side to bear its own fees and costs. The Clerk of Court is directed to **ENTER FINAL JUDGMENT in favor of the Plaintiffs Ditech Financial, LLC and the Federal National Mortgage Association, DECLARING that:**

the deed of trust for the real property located at 874 Ripple Way in Las Vegas, Nevada, recorded as Instrument # 0006161 in Book 20060928 of the real property records for Clark County, Nevada, on 9/28/06, was not extinguished by the 12/6/13 foreclosure sale, so foreclosure-sale purchaser T-Shack, Inc. took the property subject to the deed of trust

and **CLOSE THIS CASE.**

  
U.S. District Judge Jennifer A. Dorsey  
Dated: March 12, 2020